

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Revenue Department – Allegation of corruption against Sri Yadla Vykuntam, S/o. Late Chinnappayya, Village Revenue Officer, Kotapalem Village, Ranasthalam Mandal, Srikakulam District – Trapped by the Anti-Corruption Bureau Officials on 09-03-2009 - Sanction of Prosecution - Orders – Issued.

REVENUE (VIGILANCE-VII) DEPARTMENT

G.O.Ms.No. 94

Dated:01-02-2010.

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ORDER:

1. Whereas, Sri Yadla Vykuntam, S/o. Late Chinnappayya worked as Village Revenue Officer, Kotapalem Village, Ranasthalam Mandal, Srikakulam District from 08-02-2007 to 09-03-2009 and by virtue of the post held by him, he falls within the category of public servant as defined under section 2(c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, Sri Sunkara Surya Kiran, S/o. Sri S.Kamaraju, aged about 25 years, is a resident of Kotapalem Village, Ranasthalam Mandal, Srikakulam District and whereas, it is alleged that Sri Yadla Vykuntam, Village Revenue Officer demanded a bribe of Rs.3,000/- from Sri Sunkara Surya Kiran and his brothers for doing the official favour of issuing copies of Adangal, ownership and residential certificates, on 04-03-2009 at 15:00 hours, and that Sri S.Surya Kiran came to the Office of the Inspector, Anti-Corruption Bureau, Srikakulam and gave a written report alleging that he and his brother Sri S.Dhanunjaya Rao have 4 acres of agricultural land each at his village, whereas his paternal brother (Cousin) Sri S.Prasada Rao is in possession of 6 acres of agricultural land. They intend to dig bore wells in their respective lands by availing Bank loans, Sri S.Surya Kiran along with his two brothers approached ICICI Bank, Srikakulam Branch, prior to 15 days of his complaint to Anti-Corruption Bureau and the said Bank officials told them that the Bank would extend loan of Rs.2.00 Lakhs each and for sanction of the same, they shall have to submit the copies of Adangals of their respective lands from the Tahsildar concerned as well as ownership and residential certificates. The said Bank officials also handed over the proformae of the said certificates. After receipt of the said proformae, Sri S.Surya Kiran along with his two brothers when approached Sri Y.Vykuntam and requested for issue of the said required certificates

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and copies of Adangals of their respective agricultural lands. Sri Y.Vykuntam asked them that an application has to be made to the Tahsildar, Ranasthalam Mandal for issuance of copies of Adangals of the agricultural land by enclosing the copies of Pattadar Pass Books and in turn, the Tahsildar would make an endorsement for issue of the said documents to him and after receipt of the said application, he would prepare the same and after obtaining the signature of the Tahsildar on the said documents, hand over the same to them. So saying, Sri Y.Vykuntam asked them to make an application to the Tahsildar, for issue of the copies of Adangals of their agricultural lands. Accordingly, on 03-03-2009, Sri S.Surya Kiran along with his brothers presented applications to the Tahsildar, Ranasthalam Mandal for issue of the copies of Adangals of their Agricultural lands. After receipt of the said applications, the Tahsildar made an endorsement for issue of copies of Adangals and returned the same to them by instructing to hand over the said applications to Sri Y.Vykuntam. As per the instructions of the Tahsildar, on 04-03-2009, the said applications were handed over by them to Sri Y.Vykuntam at their village. After receipt of the said applications, Sri Y.Vykuntam demanded Rs.2,000/- as bribe for each application to do the official favour of issuing copies of Adangals of their lands. On 07-03-2009 at about 12:00 Noon, when Sri Y.Vykuntam visited their village, Sri S.Surya Kiran along with his two brothers met him and requested for issuing of the copies of Adangals of their Agricultural lands, Sri Y.Vykuntam reiterated his demand for payment of bribe amount and they expressed their inability to pay such huge amount as bribe. Sri Y.Vykuntam himself bargained and reduced the same to Rs.1,000/- to each application totalling Rs.3,000/-. Sri Y.Vykuntam instructed them that unless and until the demanded bribe was paid, he would not issue the said documents to them. As they were unwilling to pay any bribe amount to Sri Y.Vykuntam, Sri S.Surya Kiran preferred to lodge a complaint;

3. And whereas, Sri Sunkara Surya Kiran, S/o. Sri Kamaraju, aged about 25 years, resident of Kotapalem Village, Ranasthalam Mandal, Srikakulam District, who was unwilling to pay the bribe to Sri Yadla Vykuntam, he approached the Inspector of Police, Anti-Corruption Bureau, Srikakulam District, Vizianagaram Range on 07-03-2009 and presented a written complaint for taking necessary action against Sri Yadla Vykuntam, S/o. Late Chinnappayya, Village Revenue Officer, Kotapalem Village, Ranasthalam Mandal, Srikakulam District. After observing the due procedure, the Deputy Superintendent of Police, Anti-Corruption Bureau, Vizianagaram Range, Vizianagaram registered the same as a case in Cr.No.01/RC-ACB/VZM/2009 under section 7 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) of the Anti-Corruption Bureau, Vizianagaram Range, against Sri Yadla Vykuntam, S/o. Late Chinnappayya, Village Revenue Officer, Kotapalem Village, Ranasthalam Mandal, Srikakulam District at 11:00 hours on 09-03-2009 and took up investigation;

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4. And whereas, it is further alleged that during the course of trap on 09-03-2009 at 15:00 hours Sri Sunkara Surya Kiran, S/o. Sri Kamaraju, aged about 25 years, R/o.Kotapalem Village, Ranasthalam Mandal, Srikakulam District, and the accompanying witness, Sri Sunkara Suresh Kumar proceeded towards to the house of Sri Yadla Vykuntam, which is situated at Venkateswara Colony, J.R.Puram, Ranasthalam. Sri Sunkara Surya Kiran and the accompanying witness Sri Sunkara Suresh Kumar entered into the house of Sri Yadla Vykuntam, Sri Sunkara Surya Kiran and the accompany witness Sri Sunkara Suresh Kumar were seen by Sri Yadla Vykuntam, then he reiterated his earlier demand of bribe of Rs.3,000/- for doing the official favour, and accepted the tainted amount of Rs.3,000/- at about 03:38 P.M., with his right hand and kept the same in his left side on the ground;

5. And whereas, the right hand fingers solution of Sri Yadla Vykuntam, and the surface of the room, from which, the tainted amount had been collected, yielded positive results when subjected to chemical test in the presence of mediators. The tainted amount, resultant solutions and the connected records were seized by the Deputy Superintendent of police, Anti-Corruption Bureau, Vizianagaram duly attested by him and mediators. Sri Yadla Vykuntam was arrested on 09-03-2009 at 19:00 hours and also searches were conducted at the residential house of Sri Yadla Vykuntam after invoking the provision under section 165 Cr.P.C., but no incriminating evidence could be secured for further investigation;

6. And whereas, the above said acts of Sri Yadla Vykuntam, S/o. Late Chinnappayya, Village Revenue Officer, Kotapalem Village, Ranasthalam Mandal, Srikakulam District, constitute offences punishable under section 7 and sub-section (2) of section 13 read-with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

7. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri Yadla Vykuntam, S/o. Late Chinnappayya, Village Revenue Officer, Kotapalem Village, Ranasthalam Mandal, Srikakulam District from Government Service, after fully and carefully examining the material i.e., copy of First Information Report, Mediator's Reports-I & II, Final Report, gist of statements of witnesses and other material placed before them, with regard to the said allegations and having regard to the facts and circumstances of the case, consider that the above said Sri Yadla Vykuntam, S/o. Late Chinnappayya, Village Revenue Officer, Kotapalem Village, Ranasthalam Mandal, Srikakulam District, should be prosecuted in a Court of law, for the above said offences;

8. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri Yadla Vykuntam, S/o. Late Chinnappayya,

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Village Revenue Officer, Kotapalem Village, Ranasthalam Mandal, Srikakulam District for the above said offences punishable under section 7 and sub-section (2) of section 13 read-with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law, for the time being in force, in respect of the above said acts and for taking cognizance of the said offences, by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad.

// FORWARDED ::BY ORDER//

SECTION OFFICER